

	Montana Mental Health Nursing Care Center Policy Manual		Policy Number 1424
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	Department: Medical Records		Revised Date 10/08/2015
			Social Media/Networking Policy and Guidelines

POLICY:

It is the policy of the Montana Mental Health Nursing Care Center (MMHNCC) to ensure procedures are in place to:

- Protect the privacy and safety of our employees, associates, and patients;
- Minimize the business, legal and personal risks that may arise from an individual's use of social media, both during work time and non-work time;
- Outline an employee's obligation to avoid conduct that may violate local, state or federal law or other MMHNCC policies or that may trigger claims of discrimination, harassment, retaliation or any other unfair employment practices against MMHNCC.

MMHNCC believes that participation in online communities is a valuable means of sharing and communicating. This policy is not intended to restrict the flow of useful and appropriate information.

Montana Mental Health Nursing Care Center (MMHNCC) takes no position on your decision to start or maintain a blog or participate in other social networking activities on your personal time. However, it is the right and duty of MMHNCC to protect itself from unauthorized disclosure of information. MMHNCC's social networking policy includes rules and guidelines for facility-authorized social networking and personal social networking and applies to all executive officers, management and staff.

PURPOSE:

The purposes of this policy are to:

- Outline the requirements for participation in social media, included MMHNCC hosted social media and non-MMHNCC hosted social media in which an individual's affiliation with the MMHNCC's network of care is known, identified, or presumed;
- Mitigate legal and employee relations risks to MMHNCC that may be associated with the use of social media.
- To establish rules and guidelines for use of Social Media sites by MMHNCC employees. To ensure that use of these communications maintains our individual identity, integrity and reputation while minimizing actual or potential legal risks, whether used inside or outside the workplace.

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I. General Provisions:

- A. Unless specifically instructed, employees and associates are not authorized and therefore restricted to speak on behalf of MMHNCC utilizing Social Media.

Employees and associates may not discuss patients, products, employees or any work related matters, or other confidential information, outside MMHNCC-authorized communications diaries or personal newsletters not affiliated with MMHNCC and its patients and are prohibited from disclosing personal employee and nonemployee information and any other proprietary and nonpublic information (refer to definitions in Code of Conduct) to which they have access. Such information includes but is not limited to patient information, financial information and strategic business plans.

II. Scope:

- A. This policy applies to all employees, physicians, volunteers, non-employee associates/students, vendors, contract personnel and other associates of MMHNCC accessing MMHNCC's Hosted Media Sites to the extent such non-employed, contractually or otherwise obligated individuals are required to follow MMHNCC policies (associates). It applies to the use of social media during work and non-work time, when the person's affiliation with MMHNCC is identified, known or presumed. It does not apply to content that is otherwise unrelated to MMHNCC.

III. Reporting Violations:

- A. MMHNCC requests and strongly urges employees and associates to report any violations or possible or perceived violations to supervisors, managers, Human Resources or Administration. Violations include discussions of MMHNCC and its employees/associates and patients, any discussion of proprietary information and any unlawful activity related to blogging or social networking.

IV. No-Retaliation:

- A. There will be no retaliation against individuals who raise good faith concerns about actual or potential violations of this policy.

V. Employer Monitoring:

- A. Employees/Associates are cautioned that they should have no expectation of privacy while using the Internet. Your postings can be reviewed by anyone, including MMHNCC. MMHNCC reserves the right to monitor comments or discussions about the facility, its employees, patients and the industry, including competitors, posted on the Internet by anyone, including employees and non-employees. MMHNCC may use blog-search tools and software to monitor forums such as blogs and other types of personal journals, diaries, personal and business discussions forums, and social networking sites.

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VI. Discipline for Violations:

- A. MMHNCC will investigate and respond to *all* reports of violations of the social networking policy and other related policies. Violations of the MMHNCC's social networking policy will result in disciplinary action up to and including immediate termination. Discipline or termination will be determined based on the nature and factors of any blog or social networking post. MMHNCC reserve the right to take legal action where necessary against employees who engage in prohibited or unlawful conduct.

VII. Acknowledgement:

- A. Employees and associates are required to sign a written acknowledgement that they have received, read, understood and agree to comply with the facility's social networking policy and any other related policies and guidelines.

VIII. Definitions:

- 1) **Social Networking:** Generally includes all types of postings and/or interaction on the internet, including, but not limited to, social networking sites, (such as Facebook, MySpace or LinkedIn) blogs and other online journals, diaries, discussion boards and chat rooms, microblogs such as Twitter, 3rd party rating sites such as Yelp, smartphone applications, multi-media host sites (such as YouTube or Flickr and similar media. Social networking activities may also include the permission or refusal of posts by others where an individual can control the content of postings.
- 2) **Blog:** Short for "Web Log" a site that allows an individual or group of individuals to share a running log of events and personal insights with online audiences; may include video formats (vlogs).
- 3) **MMHNCC Confidential Information:** All information contained in any document designated as "Confidential Information", "Trade Secrets", or other similar marking; and all information, whether or not such information is reduced to writing or is so marked, concerning MMHNCC strategies, new products, business plans, prices, and other similar information where:
 - i. MMHNCC has taken reasonable measures to keep such information secret and;
 - ii. The information is not public knowledge.
- 4) **Protected Health Information:** Any individually identifiable information regarding a patient of the MMHNCC network that is collected, received, created, transmitted, or maintained in connection with an individual's status as patient, including information about a member's/patient's physical or mental health; the receipt of health care or payment for that care; patient premium records, enrollment and disenrollment information; name, address, Social Security number, account number; information from or about transactions; driver's license number, financial or credit account numbers; phone numbers; ISP and internet domain addresses; and other personal identifiers or similar information.

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- 5) **MMHNCC-Hosted Media Sites:** Any internet or intranet site sanctioned and/or endorsed by or branded as part of MMHNCC. Public, external internet examples include but are not limited to, the following MMHNCC Facebook, Twitter, LinkedIn and or www.mmhncccares.com.
 1. With the authorization from MMHNCC Administration, Community Relations and Human Resources will develop and maintain an all social media site for MMHNCC> Individual departments and/or branches of MMHNCC are not to develop or maintain any social media sites, unless authorized by Administration.
- 6). **Non-Hosted Media:** Any internet site not sanctioned and/or endorsed by or branded as part of the MMHNCC network of care; may include personal social networking sites (please see definition #1 above).
- 7). **Wiki:** Allows users to create, edit and link web pages easily; often used to create collaborative, community-driven websites (called “Wikis”) and to populate community websites.

IX. Authorized Social Networking:

- A. The goal of authorized social networking and blogging is to become a part of the industry conversation and promote web-based sharing of ideas and exchange of information. Authorized social networking and blogging is used to convey information about Facility products and services, promote and raise awareness of MMHNCC, search for potential new markets, to recruit physicians and staff, communicate with employees and customers to brainstorm, issue or respond to breaking news or negative publicity, and discuss facility wide and department-specific activities and events.
- B. When social networking, blogging or using other forms of web-based forums, MMHNCC must ensure that use of these communications maintains our individual identity, integrity and reputation while minimizing actual or potential legal risks, where used inside or outside the workplace.

PROCEDURES:

I. EMPLOYEE USE OF SOCIAL MEDIA

- A. MMHNCC-Hosted Media Sites: *(Internet or intranet sites sanctioned and/or endorsed by MMHNCC)*
 - Employees and MMHNCC Associates are invited to visit and interact with MMHNCC’s Hosted Media Sites including external websites and blogs in connection with their employment and for personal use, **as appropriate**.
 - Employees and associates must demonstrate good judgment when using social media or other online resources and ensure usage does not inhibit productivity standards and/or job performance.
 - Individuals accessing MMHNCC Hosted Media Sites are subject to the general requirements set forth in this section (A) **as well as** the requirements in section (C) [Non-Hosted Sites].

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B. When using MMHNCC Hosted Media Sites:

- 1) Employees and associates should identify themselves when discussing MMHNCC or related matters. Anonymous postings generally are discouraged and are not in line with our network policy of honesty and transparency.
- 2) Individuals must abide by MMHNCC's equal opportunity employment, harassment and other applicable policies, all of which apply to social media communication with equal force as other forms of verbal or written communications.
- 3) Individual may not post any material that could interfere with work functions, including but not limited to material that is obscene, defamatory, profane, libelous, threatening, discriminatory, harassing, retaliatory, abusive, or hateful.
- 4) All postings must abide by applicable copyright laws and individuals must ensure that they have permission to use or reproduce any copyrighted text, photos, graphics, video or other material owned by others.
- 5) MMHNCC reserves the right to monitor, prohibit, restrict, block, suspend, terminate, delete or discontinue and individual's access to any MMHNCC Hosted Media Site, at any time, without notice and for any reason and in its sole discretion. The network may remove, delete, block, filter or restrict by any other means any materials in its sole discretion.
- 6) By posting any content on any MMHNCC Hosted Media Site, employees grant to MMHNCC the right to reproduce, distribute, publish, display such content and the right to create derivative works from your content, edit or modify such content and use such content for any network purpose.
- 7) Without written authorization from MMHNCC CEO or his/her designee, an individual may not submit any content to a MMHNCC Hosted Media Site that contains any product or service endorsement or any content that may be construed as political lobbying, solicitations or contributions. An individual may not use a MMHNCC Hosted Media Site to link to any sites for political campaigns, issues or for taking a position on any product, service, legislation, law, elected official or candidate, political party or movement.

C. Non-Hosted Social Media Sites and MMHNCC Hosted Media Sites;

- The guidelines in this section apply to a MMHNCC employee and/or associate's personal social media activities that may give the appearance they are speaking on behalf of MMHNCC or which may create significant risk for the organization.
- The procedures below apply to all MMHNCC employees and/or associate's and are designed to reduce the likelihood that their personal social networking activities will have an adverse effect on themselves, MMHNCC, other employees, patients or the organizations mission.

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1. Employees and/or Associates should limit participation in social media activities during work time unless required by their position; incidental use occurring during break times or in a manner that is consistent with other general internet use is not prohibited by this policy. Under no circumstances may an employee/associate access social media on mobile devices while driving for work related reasons or performing other safety sensitive work functions.
2. MMHNCC employees and associates must speak for themselves and not on behalf of MMHNCC unless authorized to do so as part of their job responsibility. If a person posts content on line in a personal capacity and it is relevant to MMHNCC, a disclaimer should be provided (e.g., "The posting on this site are my own and don't necessarily represent MMHNCC's positions, strategies or opinions.").
3. Under no circumstances may individuals impersonate someone associated with or speaking about MMHNCC.
4. Employees and MMHNCC Associates may not use MMHNCC logos, trademarks or proprietary graphics that would create the appearance they are speaking on behalf of MMHNCC without prior authorization.
5. Employees and Associates may not use or disclose any patient identifiable information of any kind, including patient images, on any social media platform or smartphone application without the express written authorization of the patient. Even if an Individual is not identified by name within the information at issue, if there is a reasonable basis to believe that the person could still be identified from that information, then its use or disclosure could constitute a violation of the Health Insurance Portability and Accountability Act (HIPAA), state law, and/or MMHNCC policies. Additionally, online activities regarding patients within the MMHNCC that may compromise a patient's personal dignity or otherwise make them question the confidentiality of the services provided by MMHNCC are prohibited.
6. Employees and Associates may not disclose any Confidential Information of or about MMHNCC, its vendors, suppliers, or patients.
7. Individuals are responsible for any public viewable intentionally false statements that damage the company or the company's reputation.
8. Prior to establishing an online relationship with a vendor or patient through social networking sites, Individuals should consider potential conflict of interest issues, given the unique association between patients and health care providers as well as the requirements of the MMHNCC Conflict of Interest policy.
9. Individuals involved in vendor/vendor product selection process will be required to disclose relationships with vendors, including social media connections. See the MMHNCC Conflict of Interest policy for additional information and requirements governing vendor relationships

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10. Employees and MMHNCC Associates shall not use social networking activities, including personal e-mail and mobile (text) messaging, to transmit receive, or store information regarding MMHNCC, its employees or patients that is illegal, discriminatory, harassing, libelous, slanderous and/or protected under HIPAA or state law or which is considered Confidential Information.
11. Some topics present significant business risk to the organization and should not be discussed on social media – even where Individuals express their own opinions and provide a disclaimer.
12. Individuals shall not announce news about MMHNCC that is not already public. Only those officially designated by MMHNCC have the authorization to speak on behalf of the company.
13. If an individual is contacted by a blogger, online journalist or media representative about the business of the organization (news, network operations, policies, practices, strategic commitments or additional business information), he/she must notify their supervisor or manager.
14. Please refer to MMHNCC's Code of Conduct for more information.

II. MANAGEMENT RESPONSIBILITY:

A. General Use of Information and Participation in Social Media:

- Managers may become aware of information considered to be inappropriate or in violation of this policy, from a variety of sources.
- If the terms of this policy may have been violated Human Resources should be contacted by appropriate personnel.
- Managers may not access a restricted website or social networking site without authorization (e.g., insisting an employee provides a password or other access to a private site.
- Because it is not MMHNCC's intention to regulate protected off-duty conduct, managers must consult Human Resources before taking any adverse action, including, but not limited to: requesting an employee remove a posting, coaching/counseling an employee verbally or in writing regarding a posting, etc.
- A manager or other MMHNCC representative with authority to recommend hiring/firing, who enters his/her employee's private social media pate has no idea what he/she will discover. Therefore managers and other "persons of authority" are cautioned about establishing an online relationship with their employees on personal social networking sites.
- Managers may not approve, deny or limit leaves of absence on the basis of information on an employee's social media site without consulting with Human Resources.

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- Any evaluations, recommendations or comments a manager makes on an individual's job performance must follow MMHNCC's official processes for providing such feedback. In social networking sites, general comments about a team or group's performance are permissible, but individual reviews or recommendations must follow MMHNCC's policy on references.

B. Management/Executive Social Media Commentary:

- 1) The standard disclaimer does not by itself exempt MMHNCC managers and executives from a special responsibility when participating in social media environments. By virtue of their position, management level employees must consider their unique role in the organization and consider whether personal thoughts they publish may be misunderstood as expressing MMHNCC's positions. Managers have actual or apparent authority to bind the organization and should use exceptional judgment on social media sites. Failure to do so may result in discipline.
- 2) Any individual who violates this social media policy will be subject to appropriate remedial action; in the case of employees, this may include discipline, up to and including termination.

C. Rules and Guidelines (also refer to Social Media Guidelines document attached to this policy)

- A. The following rules and guidelines apply to social networking and blogging when authorized by the employer and done on facility time. The rules and guidelines apply to all employer-related blogs and social networking entries, including employer subsidiaries or affiliates.
 - a. Only authorized employees can prepare and modify content for a MMHNCC blog and/or social networking entries located on any social network site. Contents must be relevant, add value and meet at least one of the specified goals or purposes developed by MMHNCC. If uncertain about any information, material or conversation, discuss the content with your manager.
 - b. Any copyrighted information where written reprint information has not been obtained in advance cannot be posted on a MMHNCC blog.
 - c. Departments are responsible for ensuring all blogging and social networking information complies with MMHNCC written policies. Human Resources and Community Relations are authorized to remove any content that does not meet the rules and guidelines of this policy or that may be illegal or offensive. Removal of such content will be done without permission of the blogger or advance warning.

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- d. MMHNCC expects all guest bloggers to abide by all rules and guidelines of this policy. MMHNCC reserves the right to remove, without advance notice or permission, all guest blogger's content considered inaccurate or offensive. MMHNCC also reserves the right to take legal action against guests who engage in prohibited or unlawful conduct.

D. Personal Blogs

- 1) MMHNCC respects the right of employees/associates to write and use blogs and social networking sites and does not want to discourage employees and/or associates from self-publishing and self-expression. They are expected to follow the guidelines and policies set forth to provide a clear line between you as the individual and you as the employee. MMHNCC does not discriminate against employees/associates who use this media for personal interests and affiliations or other lawful purposes.
- 2) Bloggers and commenter's are personally responsible for their commentary on blogs and social networking sites. Bloggers and commenter's can be held personally liable for commentary that is considered defamatory, obscene, proprietary or libelous by any offended party, not just MMHNCC.
- 3) Employees may use employer-owned equipment, including computers, Facility licensed software or other electronic equipment, on their own personal time, to conduct work and or personal related blogging or social networking activities if authorized by the Department Manager and/or Administration.
- 4) Employees/Associates cannot use blogs or social networking sites to harass, threaten, discriminate or disparage against employees or anyone associated with or doing business with MMHNCC.
- 5) Employees/Associates cannot post on personal blogs or other sites the name, proprietary information or logo of MMHNCC or any business with a connection to MMHNCC. Employees cannot post Facility-privileged information, including patient information or Facility issued documents.
- 6) Employees cannot post on **personal** blogs or social networking sites photographs of other employees, patients, vendors or suppliers, nor can employees post photographs of person engaged in Facility business or at Facility events without prior authorization from employees and/or administration.
- 7) If contacted by the media or press about their posts that related to MMHNCC business, employees are required to speak with their manager before responding.

If you have any questions relating to this policy, your personal blog or social networking, ask your supervisor or manager.

I, _____, have read and agree to abide by MMHNCC's Social Networking Policy.
 Print employee name

 Employee Signature

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Montana Mental Health Nursing Care Center Social Media Quick Reference for Employees and Associates

Social Media Guidelines for Employee Personal Use – The following are guidelines for Montana Mental Health Nursing Care Center employees and students who participate in social media. Social media includes personal blogs and other websites, including Facebook, LinkedIn, MySpace, Twitter, YouTube and others. These guidelines apply whether employees and students are posting to their own sites or commenting on other sites.

This document is intended to help guide MMHNCC employees with their personal use of social media, including:

- Networking sites, (i.e. Facebook, LinkedIn)
- Blogs, wikis, online forums and message boards, (e.g. Twitter)
- Virtual worlds (e.g. Second Life)
- Photo and video sharing sites (i.e. Flickr, YouTube)

As new forms of social media emerge, we will periodically update these guidelines.

Rules of the Road (or) Policies and Procedures

- **Ensure that your social networking activity does not interfere with your work or workplace.** Check with your manager if you have questions.
- **When you participate in social media,** you need to be careful about the information you provide and to distinguish personal from professional comments.
- **In addition to following these guidelines, MMHNCC employees must adhere to the Terms and Conditions of Use that apply to all MMHNCC social media channels.**
- **When using social media, be aware, be aware that existing facility policies apply,** in particular, those pertaining to Patient Privacy, Electronic Communications, Confidential Information, Standards of Behavior (Code of Conduct); outside contacts (Media, Law Enforcement and Regulators), Use of Facility Name by External Organizations, Web Authoring, and Intellectual Property.
- **Use your personal email address** (not your MMHNCC.com address) as your primary means of identification. Just as you would not use MMHNCC stationary for a letter to the editor with your personal views, do not use your MMHNCC email address to express your personal views.

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Content:

- **Consider your content carefully – a posting on the Web lives forever.** Be respectful and professional. A good rule of thumb is to post only something you want your manager to see.
- **Be clear that your posts reflect your personal opinion; you do not speak for the facility.** Write in the first person (i.e. “In my opinion, “I am not aware”). When your connection to MMHNCC is apparent, be clear that you are speaking for yourself and not on behalf of MMHNCC (e.g. “It’s my personal opinion”). In those circumstances, you may want to include this disclaimer. “The views expressed on this blog/website are my own and do not reflect the views of my employer”. Consider adding this language in an “About me” section of your blog or social networking profile.
- **If you mention MMHNCC or related matters, disclose your connection MMHNCC.** Be professional and strive for accuracy in your communications; errors and omissions reflect poorly on you and on MMHNCC and may result in liability.
- **If your blog, posting or other online activities are inconsistent with, or would negatively impact MMHNCC’s reputation or brand, you should not refer to MMHNCC, or identify your connection to MMHNCC.**

Guidelines for Official MMHNCC use of Social Media

The following material is designed to assist those who plan to create a social media account under the auspices of an official MMHNCC entity, such as a clinical service or community outreach. The information includes guidelines for appropriate use of social media, comments on best practices, sample layouts, and practical tips for getting started.

- **For official business, use MMHNCC email** and choose a log-in and password that you will be able to share with the Social Media Registry (i.e. not a password you use for other purposes).
- **Include links to the MMHNCC Social Media Guidelines** and the MMHNCC Privacy Policy in the “About Us” or other appropriate section of your social media.
- **For any social media ventures that are tied to fundraising or are intended to promote fundraising, you must coordinate with the Foundation Office.**

Code of Ethics

As MMHNCC engages in conversations on the Internet, the following code of ethics applies, both in MMHNCC sponsored sites and in comments on other sites.

- Be clear about your role at MMHNCC. Disclose any conflicts of interest. Make every effort to ensure that your posts and comments are accurate and factual.

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- Acknowledge and correct mistakes promptly. To maintain integrity when corrections are made, preserve the original post and use strikethrough to show corrections.
- Delete spam and/or comments that are off-topic.
- Reply to email and comments when appropriate.
- Link directly to online references and original source materials.

Additional guidelines:

Follow all applicable MMHNCC policies. For example, you must not share confidential or proprietary information about MMHNCC and you must maintain patient privacy. Among the policies most pertinent to discussion are those concerning patient confidentiality, the Code of Conduct, Computer, E-Mail and Internet Use, the MMHNCC Compliance (Integrity) Program, photograph and video, and release of patient information to media.

1. If you identify your affiliation to MMHNCC your social media activities should be consistent with MMHNCC's high standards of professional conduct.
2. If you communicate in the public internet about MMHNCC or MMHNCC-related matters, you must disclose your connection MMHNCC and your role at MMHNCC.
3. Be professional, use good judgment and be accurate and honest in your communications; errors, omissions or unprofessional language or behavior reflect poorly on MMHNCC, and may result in liability for you or MMHNCC. Be respectful and professional to fellow employees, business partners, competitors and patients. Ensure that your social media activity does not interfere with your work commitments.
4. MMHNCC strongly discourages "friending" of patients on social media websites. Staff in patient care roles generally should not initiate or accept friend requests except in unusual circumstances such as the situation where an in-person friendship pre-dates the treatment relationship.
5. MMHNCC discourages staff in management/supervisory roles from initiating "friend" requests with employees they manage. Managers/supervisors may accept friend requests if initiated by the employee, and if the manager/supervisor does not believe it will negatively impact the work relationship.
6. MMHNCC does not endorse people, products, services and organizations. On social media websites such as LinkedIn where your affiliation to MMHNCC is known, personal recommendations should not be given or requested.
7. Your social media name, handle and URL should not include MMHNCC's name or logo.
8. If you have any questions about what is appropriate to include in your social media profile(s) you are welcome to speak with MMHNCC's Compliance officer or Chief Executive Officer.